

# Wetlands Bureau Decision Report

Decisions Taken  
10/24/2005 to 10/30/2005

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2002-02497                      SHEPARD, EDMOND AND MARILYN**  
**WOLFEBORO   Lake Winnepesaukee**

### Requested Action:

Amend permit to reflect the new location of the proposed breakwater closer to the southern property line.

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### Conservation Commission/Staff Comments:

Con. Com. signed

### APPROVE AMENDMENT:

Amend permit to read: Permanently remove existing 6 ft x 24 ft seasonal dock, and fill 1380 sq ft to construct 48 linear ft of breakwater, in a dogleg configuration with a 25 ft gap at the shoreline and a 4 ft x 30 ft cantilevered pier connected to a 3 ft x 25 ft piling pier by a 6 ft x 40 ft piling pier in a "F" configuration with two tie-off pilings on an average of 272 ft of frontage on Clark Point providing 3 boat slips, Lake Winnepesaukee.

### With Conditions:

1. All work shall be in accordance with plans by Environmental Consultants LLC, as received by the Department on September 23, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
11. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
12. The breakwater shall have an irregular face to dissipate wave energy.
13. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
14. The 6 ft x 25 ft seasonal pier shall be completely removed from the frontage prior to the construction of any new structure on the frontage.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

### With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 272 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 4 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per ROSA 482-A, and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on February 21, 2003, with the finding that the project

impacts will not significantly impair the resources of Lake Winnepesaukee.

7. The alternative proposed location for the docking structures will require no additional impacts over those originally approved.

-Send to Governor and Executive Council-

**2004-00196                      TWO LOUDON DEVELOPMENT LLC, DEV. REALTY CORP, MGR  
CONCORD   Unnamed Wetland**

Requested Action:

Deny permit request to fill 30,638 square feet for lot development.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to fill 30,638 square feet for lot development.

With Findings:

1. A request for additional information dated April 29, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-01310                      CINCOTTA TRUST, PHIL CINCOTTA TRUSTEE  
WOLFEBORO   Wentworth Lake**

Requested Action:

Deny request to retain 1600 square feet of fill in a forested wetland adjacent to prime.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny request to retain 1600 square feet of fill in a forested wetland adjacent to prime.

With Findings:

1. 1. A request for additional information dated November 9, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-02207                      LEMIEUX, MICHAEL & JAMES BAIRD  
CLAREMONT   Unnamed Wetland**

Conservation Commission/Staff Comments:

Conservation Commission is in favor of the project and requests monitoring for successful establishment of plantings.

Inspection Date: 10/26/2004 by Jeffrey D Blecharczyk

With Findings:

1. A request for additional information dated November 9, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV (b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-02804                      BLINN, DAVID**  
**ANDOVER   Unnamed Wetland**

Requested Action:

Deny permit request to impact approximately 1500 square feet to build a garage/barn within a possible prime wetland.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to impact approximately 1500 square feet to build a garage/barn within a possible prime wetland.

With Findings:

1. A request for additional information dated January 5, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-02910                      COHEN, RICHARD & CONSTANCE**  
**GILFORD   Unnamed Wetland**

Requested Action:

Deny permit request to dredge and fill 1631 square feet of wetland and intermittent stream including culvert installation for access in the subdivision of 123.237 acres into 14 single family residential lots.

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Conservation Commission/Staff Comments:

The conservation commission has no objections to the proposed project.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to dredge and fill 1631 square feet of wetland and intermittent stream including culvert installation for access in the subdivision of 123.237 acres into 14 single family residential lots.

With Findings:

1. 1. A request for additional information dated February 24, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2004-03007

**COLEBROOK, TOWN OF**

**COLEBROOK**

Requested Action:

Amend permit to permanently impact an additional 14,374 square feet of wetland and to temporarily impact an additional 6,723 square feet, as the location and configuration of the groundwater extraction wells, force main and groundwater infiltration areas have been revised to address concerns raised by the DES Waste Division and the abutting landowner.

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Conservation Commission/Staff Comments:

In a meeting on 8/29/05, Dave & Tanya Tellman and Peter Helm requested that DES Wetlands Bureau notify them of any future decision to amend the wetlands permit. I explained that I would put a phone note in the file to make this a formal request.

CDR

Inspection Date: 05/12/2005 by Craig D Rennie

APPROVE AMENDMENT:

Amend permit to read: Fill 183,388 square feet (4.21 acres) of wetland to close an existing unlined municipal sanitary landfill, and temporarily impact approximately 45,738 square feet (1.05 acres) of wetlands to remediate the existing groundwater contaminant plume and prevent its further migration towards Lime Pond. Mitigate impacts by placing a conservation deed restriction on 42.6 acres of undeveloped land adjacent to existing conservation lands surrounding Lime Pond.

With Conditions:

1. All work shall be in accordance with revised plans by Lynnfield Engineering dated September 2005, as received by the Department on September 9, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Waste Management Division.
4. This permit is contingent on the receipt of an approved 401 Water Quality Certificate, as issued by the DES Watershed Management Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

MITIGATION CONDITIONS:

15. This permit is contingent upon the execution of a conservation deed restriction on 41.94 acres of land as depicted on plans

dated March 31, 2005, and received by the Department on April 12, 2005.

16. The conservation deed restriction to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

17. The plan noting the conservation area with a copy of the final restrictive language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

18. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the conservation area, and shall be submitted to DES and the responsible stewardship party prior to construction to serve as a baseline for future monitoring of the conservation area.

19. The applicant shall submit a stewardship plan for the conservation area which identifies the responsible party or parties who will ensure that the stewardship plan is followed.

20. The conservation area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

21. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found during construction and during the early stages of vegetative establishment.

22. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

23. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

#### With Findings:

1. The project is classified as a Major Project per NH Administrative Rule Wt 303.02 (c), as wetland impacts are greater than 20,000 square feet.

2. The project is necessary to cap and close an existing municipal landfill that has been identified as the source of volatile organic compound (VOC) groundwater contamination on approximately 29 acres of land.

3. According to a Draft Site Inspection Report prepared for EPA, 79 residents are serviced by private wells within a one-mile radius of the landfill. In order to remediate the existing groundwater contaminant plume and prevent its further migration towards Lime Pond and private drinking water supplies, an active groundwater collection and treatment system is proposed in conjunction with the landfill closure.

4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

5. The site plans were revised on May 25, 2005 to reduce overall wetland disturbance by approximately 15,000 square feet from previous submittals by relocating an infiltration basin.

6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

7. The closure/remediation project is a joint effort between the Town of Colebrook and the DES Waste Management Division.

8. Recent plan revisions changed the location and configuration of the groundwater extraction wells, force main and groundwater infiltration areas to address concerns raised by the DES Waste Management Division and the abutting landowner. The overall wetland impact has therefore increased by 21,097 square feet to complete the project.

9. The applicant proposes to mitigate permanent wetland loss (totaling 183,388 square feet) by placing a conservation deed restriction on 42.6 acres of land adjacent to existing conservation land managed by the NH Fish & Game Department and monitored by LCHIP.

10. Based on the 10:1 ratio for compensatory mitigation under Wt 803.05, the applicant is required to provide 42.1 acres (1,833,880 square feet) of upland buffer preservation.

11. In the mitigation proposal, the applicant is providing 42.6 acres of upland buffer preservation; therefore, the compensatory mitigation Rules under Wt 800 have been met.

12. DES inspected the property on 05/12/05, and found that the wetland areas that are proposed to be filled are currently contaminated by landfill leachates. Properly capping the landfill, combined with remedial groundwater clean-up, will help to prevent further environmental impacts downstream; therefore, DES waives the public hearing.

Requested Action:

Dredge and fill 14,000 square feet of wetland and streams (impacting 900 linear feet) to construct 2 main access roads (with 7 wetland/stream crossings and 5 areas of side slope fill) for a multi-phase residential townhouse and condominium development on approximately 215 acres of land. Restore 12,000 square feet of previously filled wetland and retain 42,000 square feet of previously filled wetland for an earlier phase of development (Phase 2H). Mitigate wetland impacts for all past and future phases of development by executing a conservation easement on 18.5 acres of undeveloped land on-site (4.2 acres of wetland and 14.3 acres of upland).

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Conservation Commission/Staff Comments:

In a letter dated 8/1/05, the Town of Lincoln stated that they intend to hold the proposed conservation easement on 18.5 acres of land within the Forest Ridge project.

Inspection Date: 08/11/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 14,000 square feet of wetland and streams (impacting 900 linear feet) to construct 2 main access roads (with 7 wetland/stream crossings and 5 areas of side slope fill) for a multi-phase residential townhouse and condominium development on approximately 215 acres of land. Restore 12,000 square feet of previously filled wetland and retain 42,000 square feet of previously filled wetland for an earlier phase of development (Phase 2H). Mitigate wetland impacts for all past and future phases of development by executing a conservation easement on 18.5 acres of undeveloped land on-site (4.2 acres of wetland and 14.3 acres of upland).

With Conditions:

1. All work shall be in accordance with revised plans by Horizons Engineering dated 8/25/05, as received by the Department on 8/31/05.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the proposed development shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow conditions.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

18. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

#### RESTORATION CONDITIONS:

19. This permit is contingent upon the restoration of 12,000 square feet of wetlands in accordance with the restoration plan received on 10/19/05.

20. The schedule for construction of the restoration area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.

21. The restoration area shall be properly constructed, monitored, and managed in accordance with the approved restoration plan.

22. Wetland restoration areas shall be properly constructed, planted, monitored and remedial actions taken when necessary to create functioning wetland areas similar to those wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

23. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

24. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the restoration site.

25. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

26. The permittee shall delineate the wetlands within the restoration site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.

27. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.

28. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during construction and during the early stages of vegetative establishment.

#### MITIGATION CONDITIONS:

29. This permit is contingent upon the execution of a conservation easement on 18.5 acres of undeveloped land as depicted on plans received on 7/29/05.

30. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

31. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

32. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

33. Permanent signage shall be posted every 100 feet along the conservation easement boundary prior to construction

34. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

35. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:



1. This project is classified as a Major Project per NH Administrative Rule Wt 303.02(c) and (i), as overall wetland impacts are greater than 20,000 square feet and stream impacts are greater than 200 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The total wetland impact for all past and future phases of development equals 60,720 square feet (1.39 acres). Based on the upland buffer preservation ratio of 10:1, the applicant is required to provide 607,200 square feet (13.94 acres) of conservation easement.
6. The applicant proposes to mitigate wetland impacts for all phases of development by executing a conservation easement on 18.5 acres of undeveloped land on-site (4.2 acres of wetland and 14.3 acres of upland); therefore, the mitigation requirements of Wt 800 have been met.
7. DES Staff conducted a field inspection of the proposed project on 8/11/04 and 8/1/05. Field inspection determined plans accurately depict the conditions for proposed development.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland/stream ecosystem.

**2005-01608                      KORAVOS, DEAN**

**HAMPTON    Atlantic Ocean**

Requested Action:

Propose to Withdraw Application.

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WITHDRAW APPLICATION:

Approve withdraw Application

**2005-01671                      MANOR ESTATE CONDO ASSOCIATION, LYNDIA FERGUSON**

**BRISTOL    Newfound Lake**

Requested Action:

Permanently remove an existing 4 ft by 32 ft seasonal dock, permanently reduce a existing grandfathered deck by removing a 5 ft by 32 ft section over the water, construct a 6 ft by 54 seasonal dock with six 4 ft by 20 ft seasonal fingers providing 10 boatslips on an average of 682 ft of frontage on Newfound Lake, Bristol.

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Conservation Commission/Staff Comments:

Con Com has not submitted comments as of 10/07/05

Inspection Date: 10/25/2005 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Permanently remove an existing 4 ft by 32 ft seasonal dock, permanently reduce a existing grandfathered deck by removing a 5 ft by 32 ft section over the water, construct a 6 ft by 54 seasonal dock with six 4 ft by 20 ft seasonal fingers providing 10 boatslips on an average of 682 ft of frontage on Newfound Lake, Bristol.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated June 30, 2005, revision date October 11, 2005, as received by the Department on October 17, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal piers shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 54 feet from the shoreline at full lake elevation.
8. The 5 ft by 32 ft section of the deck shall be removed prior to the construction of any new structure on the frontage.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 682 feet of frontage along Newfound Lake.
3. A maximum of 10 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
4. The proposed docking facility will provide 10 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.
5. Public hearing is waived based on field inspection, by NH DES staff, on October 25, 2005, with the finding that the project impacts will not significantly impair the resources of Newfound Lake.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2004-01012                      BRANCH, VICTOR**  
**NEWPORT   Unnamed Wetland**

With Findings:

1. A request for additional information dated July 15, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV (b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-01439                      ROZZO, JOSEPH**  
**CORNISH   Connecticut River**

Requested Action:

Deny permit request to regrade and install rip-rap impacting 3,000 square feet along 100 linear feet of the Connecticut River Bank.

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**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Deny permit request to regrade and install rip-rap impacting 3,000 square feet along 100 linear feet of the Connecticut River Bank.

With Findings:

1. A request for additional information dated September 24, 2004, April 13, 2005, and June 9, 2005, addressed to the applicant, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.

2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-02229                      CROCKER, ROBIN**  
**JACKSON   Ellis River**

Conservation Commission/Staff Comments:  
Conservation Commission strongly recommends a site walk

With Findings:

1. A request for additional information dated November 9, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV (b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-02391                      ALLMENDINGER, EUGENE**  
**TAMWORTH   Little Chocorua Lake**

Requested Action:  
Deny request to install two rock weirs impacting 40 square feet within a stream for water quality protection.  
\*\*\*\*\*

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:  
Deny request to install two rock weirs impacting 40 square feet within a stream for water quality protection.

With Findings:

1. A request for additional information dated November 30, 2004, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2004-02497                      GOSS, ELLEN**  
**WOLFEBORO   Unnamed Wetland**

Requested Action:  
Retain three recently replaced 12" culverts and 102 sq. ft. of associated fill to upgrade a woods road to provide access to a cell tower. Remove 1177 sq. ft. of unpermitted fill from a wetland.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
Conservation Commission alleges that there are more impacts than addressed in application. SPH addressed these in the field (See Enforcement File).

APPROVE AFTER THE FACT:

Retain three recently replaced 12" culverts and 102 sq. ft. of associated fill to upgrade a woods road to provide access to a cell tower. Remove 1177 sq. ft. of unpermitted fill from a wetland.

With Conditions:

1. All work shall be in accordance with plans by MJS Engineering, PC dated 10/5/05, as received by the Department on 10/11/05.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow.
4. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetlands Restoration:

7. Restoration of the wetlands shall be completed by November 25, 2005.
8. Within 7 days of receiving this permit, photographs shall be submitted to DES documenting the maintenance of existing erosion controls and include a start date for the work as well as an estimated date of completion.
9. Additional sedimentation occurring from the heavy rains shall be assessed by a certified wetlands scientist (CWS) before work begins. The CWS shall submit a request to DES at least 3 business days before start of work for review and approval. The location and area of wetland impact as well as a construction sequence shall be submitted with the request.
10. Any other changes or alterations to the Restoration Plan shall be in writing and approved by the DES in writing prior to implementing any such changes or alterations.
11. Seed mix used in the restoration shall not contain reed canary grass.
12. Any organics used to amend the soil shall not contain any manure.
13. Machinery shall not be used in undisturbed wetland areas.
14. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered by the permittee in upland areas where spoils may be spread to limit its further establishment.
15. Wetland construction and enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
16. The permittee shall control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
17. Within 20 days of completion of work, but no later than December 15, 2005, a post-construction report prepared by a certified wetland scientist shall be submitted to DES for review. The report shall include photographs mounted on 8.5" x 11" white paper demonstrating the conditions on the restoration site, a list of remedial actions needed to be taken to promote successful restoration of the wetlands, if any, and a schedule for completing the remedial actions immediately upon fair weather conditions.
18. A monitoring report shall be submitted during the next growing season, but no later than June 15, 2006. The report should be prepared by a certified wetland scientist and include the same information outlined in #17 as well as a measurement of vegetative growth in restoration areas. Remedial actions cited in the report shall be completed by July 15, 2006. Monitoring reports and remedial actions shall continue to be submitted/carried out monthly until restoration success is documented by the certified wetland scientist.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet in a swamp, and Wt 303.04(n), projects which disturb less than 50 linear feet along an intermittent nontidal stream channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-00383                      JOHNSON, BRYAN**  
**GILFORD   Unnamed Wetland**

Requested Action:

Deny permit to impact a total of 3048 square feet further described as follows: Permanently impact 861 square feet for roadway construction and temporarily impact 2187 for sewer installation.

\*\*\*\*\*

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit to impact a total of 3048 square feet further described as follows: Permanently impact 861 square feet for roadway construction and temporarily impact 2187 for sewer installation.

With Findings:

1. A request for additional information dated May 10, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2005-00467                      VILLAGE AT WINNIPESAUKEE INC**  
**LACONIA   Unnamed Wetland**

Requested Action:

Deny permit to fill 4900 square feet and temporarily impact 2650 square feet of intermittent stream as part of a court order.

\*\*\*\*\*

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit to fill 4900 square feet and temporarily impact 2650 square feet of intermittent stream as part of a court order.

With Findings:

1. A request for additional information dated may 20, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2005-00554                      LANDRY, RICHARD & DENISE**  
**LACONIA   Lake Winnisquam**

Requested Action:

The Applicant requests reconsideration of the denial of the proposal to remove an existing 4 ft x 20 ft cantilevered pier attached to a 20 ft x 11 ft deck and replace a second 4 ft x 20 ft cantilevered pier with with a 6 ft x 62 ft 6 in seasonal pier attached to the existing non-conforming deck on an average of 132 ft of frontage on Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No Com Com comments by 6/8/05

Inspection Date: 10/24/2005 by Chris T Brison

**DENY RECONSIDERATION:**

The Applicant requests reconsideration of the denial of the proposal to remove an existing 4 ft x 20 ft cantilevered pier attached to a 20 ft x 11 ft deck and replace a second 4 ft x 20 ft cantilevered pier with with a 6 ft x 62 ft 6 in seasonal pier attached to the existing non-conforming deck on an average of 132 ft of frontage on Lake Winnepesaukee.

With Findings:

Standards for Approval

1. In accordance with Rule Wt 304.10, Shoreline Structures, shoreline structures shall meet the criteria of Chapter Wt 400.
2. In accordance with Rule Wt 402.20, Modification of Existing Structures, "the department shall not approve any change in the size, location or configuration of existing structures unless the applicant demonstrates that and the department finds the modification to be less of an environmental impact or provides for less boat slips and less construction surface area over public submerged lands than the current configuration."
3. In accordance with a working policy developed in June 1998, the department will waive the requirements of Rule Wt 402.20, with findings, if the Applicant provides documentation that the construction surface area of, and number of slips provided by, the modified, non-conforming structures does not exceed that which would result from the construction of new, functionally equivalent, conforming structures on the frontage.

Findings of Fact

4. The applicant submitted revised plans with the Request for Reconsideration reducing the length of the proposed dock 5 ft to meet the slip length allowed on Lake Winnisquam.
5. The amended proposal seeks to replace two existing 4 ft x 20 ft piers (160 sq ft) extending from an existing non-conforming 20 ft x 11 ft deck with a 6 ft x 58 ft pier (348 sq ft) extending from the same non-conforming deck and an after-the-fact approval for a seasonal boatlift.
6. The amended proposal would result in a 188 sq ft increase in construction surface area over public submerged lands.

Rulings in Support of the Decision

7. The project proposes to modify an non-conforming structure in a manner that increases the construction surface area over public submerged lands, contrary to the requirements of Rule Wt 402.20 and therefore the application has been denied.

**2005-00615                      KILLAM, WAYNE**  
**OSSIPEE   Ossipee Lake**

Requested Action:

Repair an existing 13 ft by 12 ft section of existing boat ramp and add a 13 ft by 6 ft extension to the lakeward end of the ramp on Ossipee Lake, Ossipee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Com Com requested a 40 day hold on the file on April 4, 2005, no report filed by June 13, 2005.

**APPROVE PERMIT:**

Repair an existing 13 ft by 12 ft section of existing boat ramp and add a 13 ft by 6 ft extension to the lakeward end of the ramp on Ossipee Lake, Ossipee.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated July 20, 2005, as received by the Department on

August 18, 2005.

2. Area shall be regraded to original contours following completion of work.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work shall be done during drawdown.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), projects in or adjacent to any waters of the state that do not meet any of the criteria of Rules Wt 303.02, Wt 303.04 or 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The local Conservation Commission did not submit any comments to the file.

**2005-00646**

**NH TRADITIONAL HOMES LLC**

**DUNBARTON Unnamed Wetland**

Requested Action:

Fill 1,869 sq. ft. of wetland and installation of a 36 inch HDPE culvert and 15 inch HDPE culvert for two driveway crossings to access uplands for a 6-lot residential subdivision on 75 acres.

\*\*\*\*\*

APPROVE PERMIT:

Fill 1,869 sq. ft. of wetland and installation of a 36 inch HDPE culvert and 15 inch HDPE culvert for two driveway crossings to access uplands for a 6-lot residential subdivision on 75 acres.

With Conditions:

1. All work shall be in accordance with plans by J.E. Belanger Land surveying P.L.L.C. dated September 7, 2005, as received by the Department on September 9, 2005.
  2. The New Hampshire Fish & Game Department ("NHF&G") Nongame & Endangered Wildlife Program shall be notified in writing prior to commencement of construction of the 36 inch HDPE culvert proposed for the private common driveway.
  3. There shall be no further alteration to wetlands or surface waters without amendment of the wetlands permit.
  4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
  5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
  6. Work within surface waters shall be done in the dry or during low flow.
  7. Construction equipment shall not be located within surface waters.
  8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
  9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- netting and pinning on slopes steeper than 3:1.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or
11. This permit is contingent on approval by the DES Subsurface Systems Bureau.
12. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
13. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Silt fencing must be removed once the area is stabilized.
17. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), projects that alter the course of or disturb less than 200 linear feet of an intermittent stream.
2. The applicant has addressed concerns by the Dunbarton Conservation Commission by explaining that a majority of the frontage on Grapevine Road is at a 20% grade or more, making it difficult to grade a 15% driveway without extensive clearing and reshaping of the hill.
3. The applicant has adequately demonstrated that the proposal must cross wetlands at some locations on this property for practicable access to buildable uplands and has thereby demonstrated need as required by Wt 302.04(a)(1).
4. The applicant has addressed the New Hampshire Fish & Game Department ("NHF&G") Nongame and Endangered Wildlife Program concerns with the effect the project will have on the species Blanding's turtle (*Emydoidea blandingii*) by proposing a 36 inch culvert to be installed under the private driveway. This culvert will allow for the safe passage of the Blanding's turtle and other wildlife.

**2005-01203                      BRADFORD, TOWN OF**  
**BRADFORD   Hoyt Brook**

Requested Action:

Replace and existing bridge impacting approximately 943 sq. ft. of riverine wetlands (439 sq. ft. permanent and 504 sq. ft. temporary) 17 sq. ft. of palustrine forested wetlands (4 sq. ft. permanent and 13 sq. ft. temporary) and 285 sq. ft. of emergent wetlands (137 sq. ft. permanent and 148 sq. ft. temporary).

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Conservation Commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill approximately 1,245 square feet (consisting of 665 square feet of temporary impact and 580 square feet of permanent impact) in riverine, palustrine and emergent wetlands within and adjacent to Hoyt Brook. Work within jurisdiction consists of removing the existing bridge and bridge abutments and installing a wider and realigned bridge and abutments, a new roadway approach and a new dry hydrant.

With Conditions:

1. All work shall be in accordance with plans by SEA Consultants Inc. dated September 2005, as received by the Department on October 13, 2005 and October 26, 2005.
2. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2005-1203 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans.



Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. All temporary wetland impacts shall be restored in-kind and a follow-up monitoring report demonstrating the successful restoration shall be prepared by a certified wetland scientist and submitted to DES following completion of the project.
6. The applicant shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
7. Work shall be done during annual low flow conditions.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
10. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
12. There shall be no excavation or operation of construction equipment in flowing water.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1); projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01229                      KORAVOS, ROBIN**  
**HAMPTON   Atlantic Ocean**

Requested Action:

Propose to Withdraw application

\*\*\*\*\*

WITHDRAW APPLICATION:

Approve application withdrawal

**2005-01477                      STARK, TOWN OF**  
**STARK   Upper Ammonoosuc River**

Requested Action:

Confirm emergency authorization issued July 1, 2005, to repair approximately 95 linear feet (493 square feet) of bank collapsed along Upper Ammonoosuc River to prevent washout of public road.

\*\*\*\*\*

CONFIRM EMERGENCY AUTHORIZATION:

Repair approximately 95 linear feet (493 square feet) of bank collapsed along Upper Ammonoosuc River to prevent washout of

public road.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(l), projects that alter the course or disturb less than 200 linear feet of a perennial river channel or its banks.
2. The project was necessary to repair collapsed bank along Upper Ammonoosuc River to prevent washout of public road and road shoulder.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff July 1, 2005.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2005-01516                      TRANSCANADA HYDRO NORTHEAST INC**  
**PITTSBURG   1st Connecticut Lake**

Requested Action:

Modify an existing 4 ft by 50 ft dock with an existing 4 ft by 12 ft dock in an "L" shaped configuration used for public access to First Connecticut Lake by constructing a 4 ft by 54 ft dock accessing a 16 ft by 12 ft dock in a "L" shaped configuration, Pittsburg.

\*\*\*\*\*

APPROVE PERMIT:

Modify an existing 4 ft by 50 ft dock with an existing 4 ft by 12 ft dock in an "L" shaped configuration used for public access to First Connecticut Lake by constructing a 4 ft by 54 ft dock accessing a 16 ft by 12 ft dock in a "L" shaped configuration, Pittsburg.

With Conditions:

1. All work shall be in accordance with plans received by the Department on October 4, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. The docking facility shall be used for public access. If the docking facility use changes and is not available for public use the configuration will be required to be brought into compliance with the current rules for docking structures.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of an docking system that exceeds the design criteria discussed in Wt 402.01.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided information justifying the need for the landing platform. The lake elevation fluctuate greatly though out the year and the larger platform is needed to provide a safe docking structure.

**2005-01676                      NORTHERN ACRES INC**  
**LITTLETON   Unnamed Wetland**

Requested Action:

Fill 4,600 square feet of wetland and an intermittent stream (impacting approximately 190 linear feet) to construct an access road, utilities and culvert crossings for a 31-lot residential subdivision on 26 acres of land.

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Conservation Commission/Staff Comments:

\*In a letter dated 8/1/05, the Littleton Conservation Commission stated that they do not wish to intervene, but called attention to areas of concern, including close proximity to Palmer Brook and NHF&G habitat features, and steep slopes.

APPROVE PERMIT:

Fill 4,600 square feet of wetland and an intermittent stream (impacting approximately 190 linear feet) to construct an access road, utilities and culvert crossings for a 31-lot residential subdivision on 26 acres of land.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated July 2005, as received by the Department on July 22, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be done during low flow conditions.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Wt 303.03(h) and (l), as wetland impacts are less than 20,000 square feet and intermittent stream impacts are less than 200 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Dredge and fill 6,575 square feet of palustrine, forested, broad-leaved deciduous/broad-leaved evergreen, seasonally saturated/temporarily flooded wetlands to install an access road and loop road with four culverted wetland crossings for a 21-lot residential cluster subdivision of which, two (2) lots are open space.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 6,575 square feet of palustrine, forested, broad-leaved deciduous/broad-leaved evergreen, seasonally saturated/temporarily flooded wetlands to install an access road and loop road with four culverted wetland crossings for a 21-lot residential cluster subdivision of which, two (2) lots are open space.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. entitled "Old Mill Estates Open Space Subdivision Plan" dated July 12, 2005 (revised), as received by the DES Wetlands Bureau on October 25, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
5. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #6 of this approval.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work shall be done during low flow.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
16. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary for the construction of an access road and loop road for a 19-lot residential cluster subdivision.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The subdivision was configured to minimize wetlands impacts by minimizing crossings and where necessary, crossing at the narrowest points.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

5. The proposed subdivision consists of 19 buildable lots approximately 26 acres in total area and two (2) open space lots approximately 48 acres in total area.

6. The project will impact palustrine, forested, broad-leaved deciduous/broad-leaved evergreen, seasonally saturated/temporarily flooded wetlands that drain to Hartshorn Brook.

7. This permit is contingent on approval by the DES Site Specific Program and DES Subsurface Systems Bureau.

**2005-01820 LANDAFF TOWN OFFICE**  
**LANDAFF Unnamed Stream**

**Requested Action:**

Dredge and fill 200 square feet of an unnamed perennial stream (impacting 60 linear feet within the bed and banks) to replace an existing 24" culvert with a larger 48" culvert.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 200 square feet of an unnamed perennial stream (impacting 60 linear feet within the bed and banks) to replace an existing 24" culvert with a larger 48" culvert.

**With Conditions:**

1. All work shall be in accordance with plans by Lobdell Associates, as received by the Department on 8/8/05.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow conditions.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This project is classified as a Minor Project per NH Administrative Rule Wt 303.03(1), as stream impacts are less than 200 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

## MINIMUM IMPACT PROJECT

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**2005-00073                      BARNEY, ARTHUR**  
**LANCASTER   Unnamed Wetland**

### Requested Action:

Fill 1250 square feet including installation of a 18-inch x 125 foot culvert in an intermittent stream to minimize open flow.

\*\*\*\*\*

### DENY PERMIT:

Deny permit to fill 1250 square feet including installation of a 18-inch x 125 foot culvert in an intermittent stream to minimize open flow.

### With Findings:

1. This is a Minor Impact Project per NH Code of Administrative Rule Wt 303.03(1); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Wt 302.04(d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. In accordance with Rule Wt 301.01(d) all applications classified minor shall be: Stamped by a certified wetlands scientist; and accompanied by a report that includes an existing conditions plan stamped by a certified wetlands scientist.
8. The Department of Environmental Services

### Requested Action:

Deny permit request to fill 1250 square feet including installation of a 18-inch x 125 foot culvert in an intermittent stream to minimize open flow.

\*\*\*\*\*

### DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit request to fill 1250 square feet including installation of a 18-inch x 125 foot culvert in an intermittent stream to minimize open flow.

### With Findings:

1. A phone request for more information dated March 16, 2005, with the owner of record and the agent of record, requested additional information and requiring the applicant to submit additional information to DES within 120 days of the phone call.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2005-00270                      CENTERVIEW HOLLOW LAND CO LLC**  
**DANVILLE   Unnamed Wetland**

### Requested Action:

Deny permit request to fill 2820 square feet for access in a proposed residential subdivision.

\*\*\*\*\*

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Deny permit request to fill 2820 square feet for access in a proposed residential subdivision.

**With Findings:**

1. A request for additional information dated May 6, 2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

**2005-00367                      KIMBALL, CHRISTOPHER  
WEBSTER   Unnamed Wetland**

**Requested Action:**

Retain 1,270 square feet of fill in forested wetlands for two 12 in. x 24 foot culverts and replacement of an existing 15 in. x 28 foot culvert for a driveway to buildable uplands.

\*\*\*\*\*

**APPROVE AFTER THE FACT:**

Retain 1,270 square feet of fill in forested wetlands for two 12 in. x 24 foot culverts and replacement of an existing 15 in. x 28 foot culvert for a driveway to buildable uplands.

**With Conditions:**

1. Work was done in accordance with plans prepared with the guidance of the Town of Webster's wetland scientist, and received February 23, 2005
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. in swmaps or wet meadows.

**2005-01617                      DOVER, CITY OF  
DOVER   Drainage Ditch**

**Requested Action:**

Impact 117 square feet of roadside drainage ditch to install 3 stone check dams and remove accumulated sediment behind damns for ongoing maintenance.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Dover Conservation Commission did not comment on the project.

**APPROVE AFTER THE FACT:**

Impact 117 square feet of roadside drainage ditch to install 3 stone check dams and remove accumulated sediment behind damns for ongoing maintenance.

**With Conditions:**

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant that this stream channel and the accumulated sediment therein needed to be removed to avoid sedimentation to the Bellamy River. This drainage ditch is downstream of RT 4 and receives flows from a culvert beneath RT 4.
3. Per Wt 302.03, The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction as the impacts are necessary to catch flowing sediments from entering the Bellamy River. The alternative with no impacts would be not to install check dams thereby allowing sediment transport to the Bellamy River.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01737                      PEASE DEVELOPMENT AUTHORITY, PEASE INTL TRADEPORT  
PORTSMOUTH   Unnamed Wetland**

Requested Action:

Dredge and fill 2,885 sq. ft. of mowed palustrine wet meadow wetlands for the purpose of expanding the existing aviation apron at the Pease International Tradeport.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments received from the Portsmouth Conservation Commission.

APPROVE PERMIT:

Dredge and fill 2,885 sq. ft. of mowed palustrine wet meadow wetlands for the purpose of expanding the existing aviation apron at the Pease International Tradeport.

With Conditions:

1. All work shall be in accordance with plans by HTA Consulting Engineers dated March 2005, as received by the Department on July 28, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Wetlands Bureau staff shall be notified in writing prior to commencement of work and upon its completion.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

**2005-01872                      COLEBROOK DEVELOPMENT CORP  
COLEBROOK   Connecticut River**

Requested Action:

Dredge and fill 540 square feet within the bank of the Connecticut River to install 9 to 12 root wads along 300 linear feet to protect against active erosion. In addition, a riparian buffer of trees and shrubs will be planted within the floodplain to encourage long-term bank stability.

\*\*\*\*\*

Conservation Commission/Staff Comments:



\*In a letter dated 9/9/05, the CRJC stated that they unanimously recommended that the project should proceed as quickly as possible.

**APPROVE PERMIT:**

Dredge and fill 540 square feet within the bank of the Connecticut River to install 9 to 12 root wads along 300 linear feet to protect against active erosion. In addition, a riparian buffer of trees and shrubs will be planted within the floodplain to encourage long-term bank stability.

**With Conditions:**

1. All work shall be in accordance with plans by Field Geology Services, as received by the Department on 8/11/05.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow conditions.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid, and faulty equipment shall be repaired prior to commencing work.
7. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
8. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Riparian buffer plantings shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional riparian buffer is replicated in a manner satisfactory to the DES Wetlands Bureau.
11. Areas shall be regraded to original contours following completion of work.
12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Wt 303.04(o), as the proposed project within the bank of the Connecticut River is considered to have a minimal degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01937                      HOWARD, ROBERT & PHYLLIS**  
**DOVER   Unnamed Wetland Cocheco River**

**Requested Action:**

Fill 1,094 sq. ft. of wetland for the construction of a driveway for a 13-unit condominium development on 1.41 acres.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Conservation Commission signed the expedited application.

Inspection Date: 10/06/2005 by David A Price

**APPROVE PERMIT:**

Fill 1,094 sq. ft. of wetland for the construction of a driveway for a 13-unit condominium development on 1.41 acres.

**With Conditions:**

1. All work shall be in accordance with plans by Tritech Engineering Corporation dated August 18, 2005, as received by the Department on August 22, 2005.
  2. There shall be no further alteration to wetlands or surface waters without amendment of the wetlands permit.
  3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
  4. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- netting and pinning on slopes steeper than 3:1.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or
  6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
  7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
  8. Silt fencing must be removed once the area is stabilized.

**With Findings:**

1. This is a minimum project pursuant to Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of wetland.
2. Carex EcoSciences, LLC prepared a wetland evaluation of the small isolated wetland proposed for impact. Carex EcoSciences, LLC summarized that the wetland has minimal functions primarily because of its relatively small area, limited functions of flood storage, sediment/toxicant retention, and nutrient removal/transformation.

**2005-02217 NH DEPT OF TRANSPORTATION  
SANBORNTON Lake Winnisquam**

**Requested Action:**

Improve slope, replace 18 in. drainage pipe and reconstruct/ repair header impacting 130 sq. ft. of lake and bank (90 sq. ft. temporary).

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**APPROVE PERMIT:**

Improve slope, replace 18 in. drainage pipe and reconstruct/ repair header impacting 130 sq. ft. of lake and bank (90 sq. ft. temporary). NHDOT project #14150.

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, sheets 29, 30 and 31 dated 10/05/05 as received by the Department on October 10, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Construction equipment shall not be located within surface waters.

5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. A dewatering area shall be specified, considerations for pumping shall be planned for and the open roadway be limited to the size where erosion into areas of jurisdiction will be prevented.

## FORESTRY NOTIFICATION

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**2005-02519                      MATTISON, PETER & REBECCA**  
**MADISON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Madison Tax Map 219 , 220 Lot# 18, 1 & 2

**2005-02520                      HOUGHTON, DAVID & CHANTAL**  
**ALTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Alton Tax Map 5, Lot# 72-3, 72-4 & 72-5

**2005-02527                      BOURQUE, MARTIN**  
**WEBSTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Webster Tax Map 4, Lot# 13

**2005-02530                      500 NORTH ROAD REALTY TRUST LLC**  
**EPSOM   Unnamed Stream**

Conservation Commission/Staff Comments:  
See file 2005-817. Forestry associated with a subdivision. Disqualified 10/26/05.

**2005-02546                      ENGLISH, EVELYN**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 25, Lot# 58

**2005-02548                      LAWRENCE, RICHARD, ROGER & RONALD**  
**FARMINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Farmington Tax Map R37 & R46, Lot# 5 & 4

**2005-02549                      MARKS, PATRICK**  
**EFFINGHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Effingham Tax map 405, Lot# 4 & 34

**2005-02550                      LAMY, FRANCIS**  
**CHESTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Chester Tax map 2, Lot# 19

**2005-02551                      BRAMAN, MARGARET**  
**HANOVER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hanover Tax Map 16, Lot# 17

**2005-02552                      KINGS ARROW TRUST**  
**COLUMBIA   Unnamed Stream**

COMPLETE NOTIFICATION:  
Columbia Tax Map 410, Lot# 55

**2005-02553                      LYME HOLDINGS INC, C/O FOUNTAIN FORESTRY INC**  
**HANOVER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hanover Tax Map 17, Lot# 22

**2005-02555                      LYME HOLDINGS INC, C/O FOUNTAIN FORESTRY INC**  
**LYME   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lyme Tax Map 412, Lot# 3

## EXPEDITED MINIMUM

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### **2003-01561                      HANOVER IMPROVEMENT SOCIETY** **HANOVER   Unnamed Wetland**

#### Requested Action:

Approve amendment to change condition #7 of the original permit which states: This permit shall be used only once, and does not allow for annual maintenance dredging.

\*\*\*\*\*

#### Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application.

#### APPROVE AMENDMENT:

Maintenance dredge of 3750 square feet and dredge an additional 11250 square feet adjacent to the forebay area for the removal of 1 foot of sediment to control invasive species.

#### With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting LLC dated June 2003, as received by the Department on July 21, 2003.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work shall be done during drawdown.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. The dredge shall maintain the historical depth, location and configuration of the forebay.
7. This permit shall be used only twice, and does not allow for annual maintenance dredging.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed at least 250 ft from surface waters and shall be covered with a minimum of 2 ft of cover.
10. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
11. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The applicant shall revegetate the area with trees, shrubs and ground covers representing the density and species diversity of the surrounding area.
14. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the removal of invasive species is accomplished in accordance with the approved plans.
15. The permittee or a designee shall conduct a follow-up inspection the summer after the first full growing season, to review the success of the removal of invasive species and schedule remedial actions if necessary. A report outlining findings including photo documentation, any follow-up measures and a schedule for completing any remedial work shall be submitted by December 1 of that year.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

#### With Findings:

The Department reaffirms conditions 1-3 of the original approval and makes the additional findings:

1. The second dredging is the result of a road washout upstream and the deposits of that roadway within jurisdictional areas due to a storm event.
2. The Department issued an emergency approval to dredge the area June 17, 2005. However, the dredge was never completed.

**2005-01251 MORRILL IRRVOC TRUST, DAVID & EDWINA  
CONCORD Unnamed Wetland**

**Requested Action:**

Fill 975 square feet of forested wetland on either side of an existing woods road to install a culvert for access to a 18-lot residential cluster subdivision on 65.95 acres.

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**Conservation Commission/Staff Comments:**

The Concord Conservation Commission signed the Minimum Impact Expedited Application.

Inspection Date: 10/18/2005 by Eben M Lewis

**APPROVE PERMIT:**

Fill 975 square feet of forested wetland on either side of an existing woods road to install a culvert for access to a 18-lot residential cluster subdivision on 65.95 acres.

**With Conditions:**

1. All work shall be in accordance with the following plans by Sublime Civil Consultants, Inc.:
  - a.) Grading Plan (Sheet#C4) dated March 14, 2005 and revised through May 17, 2005, as received by the Department on June 8, 2005;
  - b.) NHDES - Project Plan (Sheet #C1) dated September 2, 2005, as received by the Department on September 13, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Site Specific Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, and for any other construction related activities.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Work shall be done during low flow conditions.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be properly rip rapped.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

17. Any future work on this property regarding the construction of the proposed trail network that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant as this road is the only one for access to buildable uplands.
3. In accordance with Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction as an existing woods road will be used and widened.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01762                      CHURCH OF OUR SAVIOR**  
**MILFORD    Unnamed Wetland**

Requested Action:

Impact 447 sq. ft. of forested wetland to install a 12 in. x 30 ft. culvert with headwalls for a driveway crossing for access to uplands.

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Conservation Commission/Staff Comments:

The Conservation Commission signed the expedited application.

APPROVE PERMIT:

Impact 447 sq. ft. of forested wetland to install a 12 in. x 30 ft. culvert with headwalls for a driveway crossing for access to uplands.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services; Wetlands Impact Application plan dated 06/29/2005 and Site Plan Sheet SP-1 dated 06/09/2005, as received by the Department on 08/01/2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. Work shall be done during low flow conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

**2005-01958**

**BENNINK, RICHARD**

**NELSON Unnamed Stream Unnamed Tributary Of Nubanusit Lake**

**Requested Action:**

Replace bridge in-kind impacting 40-linear feet (272 square feet) of stream bank.

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**Conservation Commission/Staff Comments:**

Conservation Commission signed; no comments.

**APPROVE PERMIT:**

Replace bridge in-kind impacting 40-linear feet (272 square feet) of stream bank.

**With Conditions:**

1. All work shall be in accordance with plans by Bell Engineering dated August 15, 2005 and October 3, 2005 (Site Plan) as received by the DES Wetlands Bureau on August 23, 2005 and October 11, 2005, respectively.
2. Replacement shall maintain existing size, location and configuration.
3. Work shall be done during low flow.
4. No material shall be dredged from the stream channel.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The road surface shall be regraded to original contours following completion of work.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Additional minimum impact expedited applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure such as a bridge provided no change in location, configuration, construction type, or dimensions is proposed.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The existing structure is deteriorated and unsafe for passage.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. An existing bridge is being replaced in-kind.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project site is located within a deeded Right-Of-Way.
6. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department did not have record of any rare or endangered species near the project area.



**2005-01969                      HERSH, BARRY/TERRY**  
**SANBORNTON   Lake Winnisquam**

Requested Action:

Construct a 4 ft by 24 ft seasonal dock accessed by a 4 ft wide stairs over the bank on an average of 50 ft of frontage on Lake Winnisquam, Sanbornton.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 4 ft by 24 ft seasonal dock accessed by a 4 ft wide stairs over the bank on an average of 50 ft of frontage on Lake Winnisquam, Sanbornton.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on October 11, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. The applicant shall plant four trees in the areas discussed and submit photos within one year from the date of this permit.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

**2005-02005                      WIENER, PAUL & BLANCHE**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Amend permit to perch the existing 460 sqft sloped beach with no more than 10 cy of sand, beach replenishment approved file # 2005-1358.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE AMENDMENT:

Construct a 6 ft by 40 ft seasonal dock attached to a 6 ft by 4 ft concrete pad accessed by an access walkway over the beach, perch an existing 460 sqft sloped beach with a 4 ft wide access stair to the lake and add no more than 10 cy of sand, on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 5, 2005, revision date October 5, 2005, as received by the Department on October 13, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or

revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
8. The concrete pad shall be entirely located behind the natural undisturbed shoreline.
9. This permit to perch the existing beach supercedes the prior permit, 2005-1358 for beach replenishment. If the beach replenishment has been completed under permit # 2005-1358, then no additional sand may be added.
10. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
11. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
12. The steps installed for access to the water shall be located completely landward of the normal high water line.
13. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
14. This permit shall be used only once, and does not allow for annual beach replenishment.
15. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
16. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.
2. This permit supercedes permit 2005-1358 and does not allow for additional sand to be placed if the work permitted under 2005-1358 has been completed.

**2005-02067**

**WOOD, ROBERT**

**LACONIA Unnamed Wetland Unnamed Stream**

Requested Action:

Dredge and fill 168 square feet to replace existing culvert with a 28 foot x 24-inch culvert with associated headwalls.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Laconia Conservation Commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill 168 square feet to replace existing culvert with a 28 foot x 24-inch culvert with associated headwalls.

With Conditions:

1. All work shall be in accordance with plans by Robert C Wood, as received by the Department on September 16, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Work shall be done during periods of non-flow.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).be properly rip rapped. (REWORD)
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x); Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-02151 COOK TRUST, WILBUR & JOAN  
CENTER SANDWICH Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1075 square feet of wetlands to install a 20-inch x 15-foot culvert for year-round access to a single family residence.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comment from NHI.

APPROVE PERMIT:

Dredge and fill approximately 1075 square feet of wetlands to install a 20-inch x 15-foot culvert for year-round access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by John Hummiston, as received by the Department on September 14, 2005.
2. Work shall be done during low flow.
3. There shall be no excavation or operation of construction equipment in flowing water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert associated with fill for vehicular access to a single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-02318                      EASTMAN, BERNARD**  
**SUNAPEE   Otter Pond**

**Requested Action:**

Repair and replace an existing 12 ft by 12 ft dock supported by a 12 ft by 12 ft crib accessed by a 17 ft by 6 ft walkway providing 2 boatslips on 25 ft of frontage on Otter Pond, New London.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed Exp Application

NH NHI and NH Fish and Game will not be submitting comments

**APPROVE PERMIT:**

Repair and replace an existing 12 ft by 12 ft dock supported by a 12 ft by 12 ft crib accessed by a 17 ft by 6 ft walkway providing 2 boatslips on 25 ft of frontage on Otter Pond, New London.

**With Conditions:**

1. All work shall be in accordance with as received by the Department on September 27, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted, grandfathered or not abandoned.
4. Repair shall maintain existing size, location and configuration.
5. Existing rocks which have fallen shall be used for crib repair. No Additional Rocks.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**AGRICULTURE MINIMUM**

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**2005-02065                      RYAN, ELLEN**  
**PLAINFIELD   Unnamed Wetland**

**Requested Action:**

Drain 17,424 square feet of hydric B disturbed wet meadow for establishment of horse paddocks. Restore approx 500 square feet

by removal of the existing culvert within a drainage swale.

\*\*\*\*\*

#### APPROVE PERMIT:

Drain 17,424 square feet of hydric B disturbed wet meadow for establishment of horse paddocks. Restore approx 500 square feet by removal of the existing culvert within a drainage swale.

#### With Conditions:

1. All work shall be in accordance with plans by Natural Resource Conservation Service dated January 13, 2005, as received by the Department on September 2, 2005.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Work shall be done during periods of non-flow.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. A 30 foot riparian buffer shall be established along the perennial stream.
7. The applicant shall fence in the pond area to keep animals out of the water.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Area of restoration shall be regraded to original contours.
10. All material removed during restoration activities shall be removed down to the level of the original hydric soils.
11. All material removed during restoration activities shall be placed out of DES's jurisdiction.
12. Mulch within the restoration area shall be straw.
13. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

#### With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(u); Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Plainfield Conservation Commission supports the proposed application.

#### TRAILS NOTIFICATION

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2005-02528

WHITE MTN NATIONAL FOREST, SACO DISTRICT RANGER ST

JACKSON Unnamed Stream

#### COMPLETE NOTIFICATION:

Jackson Tax Map R12, Lot# 620 BI

**2005-02535                      HANCOCK CONSERVATION COMMISSION**  
**HANCOCK    Unnamed Stream**

COMPLETE NOTIFICATION:  
Hancock Tax Map U5, Lot# 1

**SHORELAND VARIANCE / WAIV**

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**2005-01077                      GALLANT, DENIS**  
**STODDARD    Highland Lake**

Requested Action:

Increase the nonconforming primary building setback from 16 ft to 21 ft from the reference line, increase the footprint from 560 sq ft to 720 sq ft, increase the ridgeline height from 18 ft to 23 ft, and improve the wastewater treatment on the property by replacing the existing septic system with a new and improved one 58.6 ft from the reference line.

\*\*\*\*\*

Inspection Date: 06/06/2005 by Chris T Brison

APPROVE AMENDMENT:

Increase the nonconforming primary building setback from 16 ft to 21 ft from the reference line, increase the footprint from 560 sq ft to 720 sq ft, increase the ridgeline height from 18 ft to 23 ft, and improve the wastewater treatment on the property by replacing the existing septic system with a new and improved one 58.6 ft from the reference line.

With Conditions:

1. All work shall be conducted in accordance with revised plans by Meridian Land Services, Inc. as received by the department on September 22, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. This approval shall not be effective until the proposed septic system is approved by the Subsurface Bureau.
4. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
5. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
6. This approval does not allow lakeward expansion of the primary structure.
7. Proposed primary structure shall tie into the proposed septic system prior to inhabiting.
8. No open deck or porch constructed shall extend from the nonconforming primary structure more than 12 ft towards the reference line.
9. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Highland Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The applicant has proposed to increase the primary building setback from 16 to 25 ft, improve the stormwater treatment by replacing the existin septic system with a new and improved septic system, and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

Requested Action:

Increase the nonconforming primary building setback from 16 ft to 25 ft from the reference line, increase the footprint from 560 sq ft to 720 sq ft, increase the ridgeline height from 18 ft to 23 ft, and improve the wastewater treatment on the property by replacing the existing septic system with a new and improved one 58.6 ft from the reference line.

\*\*\*\*\*

APPROVE CSPA WAIVER:

Increase the nonconforming primary building setback from 16 ft to 25 ft from the reference line, increase the footprint from 560 sq ft to 720 sq ft, increase the ridgeline height from 18 ft to 23 ft, and improve the wastewater treatment on the property by replacing the existing septic system with a new and improved one 58.6 ft from the reference line.

With Conditions:

1. All work shall be conducted in accordance with plans by Meridian Land Services, Inc. as received by the department on July 18, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. This approval shall not be effective until the proposed septic system is approved by the Subsurface Bureau.
4. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
5. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
6. This approval does not allow lakeward expansion of the primary structure.
7. Proposed primary structure shall tie into the proposed septic system prior to inhabiting.
8. No open deck or porch constructed shall extend from the nonconforming primary structure more than 12 ft towards the reference line.
9. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 ft primary building setback to Highland Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or

traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."

3. The applicant has proposed to increase the primary building setback from 16 to 25 ft, improve the stormwater treatment by replacing the existin septic system with a new and improved septic system, and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

**2005-01492                      TODD, SUSAN**  
**BARRINGTON   Swains Lake**

**Requested Action:**

Request for Shoreland Waiver to raise ridgeline height a total of 15 feet 10 inches by putting on a second floor addition, raising the existing first floor grade elevation by 3 feet 3.5 inches due to the new installation of a walk-out basement with minimal excavation.

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Inspection Date: 08/17/2005 by Chris T Brison

**APPROVE CSPA WAIVER:**

Request for Shoreland Waiver to raise ridgeline height a total of 15 feet 10 inches by putting on a second floor addition, raising the existing first floor grade elevation by 3 feet 3.5 inches due to the new installation of a walk-out basement with minimal excavation.

**With Conditions:**

1. All work shall be conducted in accordance with plans as received by the department on October 17, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. Erosion/siltation controls shall be installed and maintained until site is completely stabilized.
6. This approval does not allow lakeward expansion of the primary structure.
7. Before the proposed construction begins on the non-conforming residence, the applicant shall upgrade the existing septic system.
8. No open deck or porch constructed shall extend more than 12 ft towards the reference line.
9. Proposed basement shall not require regrading on the lakeward side of the proposed nonconforming primary structure.
10. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
12. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
13. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

**With Findings:**

1. The existing non-conforming residence is located within the 50 ft primary building setback to Swains Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The Subsurface Systems Bureau has approved the system for the property in accordance with approval number CA1999020893.
4. The applicant has proposed to attach new primary structure to a new and improved septic system, reduce primary structures



footprint 56 sq ft, implement a vegetation plan along proposed erosion control terraces and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

**Requested Action:**

Request for Shoreland Waiver to raise ridgeline height a total of 15 feet 10 inches by putting on a second floor addition, raising the existing first floor grade elevation by 3 feet 3.5 inches due to the new installation of a walk-out basement with minimal excavation.

\*\*\*\*\*

**DENY CSPA WAIVER:**

Request for Shoreland Waiver to raise ridgeline height a total of 15 feet 10 inches by putting on a second floor addition, raising the existing first floor grade elevation by 3 feet 3.5 inches due to the new installation of a walk-out basement with minimal excavation.

**With Conditions:**

1. All work shall be conducted in accordance with plans as received by the department on October 17, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. Erosion/siltation controls shall be installed and maintained until site is completely stabilized.
5. This approval does not allow lakeward expansion of the primary structure.
6. Before the proposed construction begins on the non-conforming residence, the applicant shall upgrade the existing septic system.
7. No open deck or porch constructed shall extend more than 12 ft towards the reference line.
8. Proposed basement shall not require regrading on the lakeward side of the proposed nonconforming primary structure.
9. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

**With Findings:**

1. The existing non-conforming residence is located within the 50 ft primary building setback to Swains Lake and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The Subsurface Systems Bureau has approved the system for the property in accordance with approval number CA1999020893.
4. The applicant has proposed to attach new primary structure to a new and improved septic system, reduce primary structures footprint 56 sq ft, implement a vegetation plan along proposed erosion control terraces and therefore meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

**2005-01753                      ARKWELL, JEAN**  
**MILTON   Town House Pond**

**Requested Action:**

Install a new and improved septic system 75 ft from the reference line on Townhouse Pond, Milton.

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Inspection Date: 09/19/2005 by Heather S Dionne

**APPROVE CSPA VARIANCE:**

Install a new and improved septic system 75 ft from the reference line on Townhouse Pond, Milton.

**With Conditions:**

1. All work shall be conducted in accordance with plans by Thomas W. Varney, dated July 25, 2005 and received by the department on July 27, 2005.
2. This variance shall not be effective until it has been recorded at the appropriate county registry of deeds office by the Permittee. A copy of the registered approval shall be submitted to the DES Wetlands Bureau prior to construction.
3. A copy of this variance shall be posted in a prominent location on site during construction, visible to inspecting personnel.
4. This variance does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
5. This variance is contingent upon approval of the septic system by the DES Subsurface Bureau.
6. This variance does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
7. A copy of this variance shall be posted in a prominent location on site during construction, visible to inspecting personnel.
8. This variance does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
9. This variance does not permit any outside expansion to the primary structure.
10. Unnecessary removal of vegetation shall be prohibited.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

**With Findings:**

1. The septic system is proposed to be installed within the septic setback to Townhouse Pond in Milton and therefore fails to conform to a minimum standard set forth in RSA 483-B:9, V of the Comprehensive Shoreland Protection Act.
2. In accordance with RSA 483-B:9, V(g), "the commissioner shall have the authority to grant variances from the minimum standards of this section. Such authority shall be exercised subject to the criteria which govern the grant of a variance by a zoning board of adjustment under RSA 674:33, I(b)."
3. A special condition of the land coupled with the septic setback would prohibit the property owner from replacing the existing septic holding tank with a new improved septic system.
4. The installation of a new improved septic system will better protect the public waterbody and therefore be consistent with the intents of the statute.
5. The proposed project will not injure the public or private rights of others.
6. Granting the variance will be consistent with the public interest as the existing septic system is outdated and a potential health hazard.
7. Granting the variance will do substantial justice by allowing the property owner to maintain and enjoy a significant property right while upholding the spirit of the CSPA and preserving the private rights and interests of the public.
8. Shoreland variance activation shall be contingent upon subsurface approval.

**PERMIT BY NOTIFICATION**

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**2005-02019 CLAREMONT, CITY OF**  
**CLAREMONT Unnamed Stream**

**Requested Action:**

Dredge approximately 100 square feet in a nontidal drainage ditch for maintenance of an existing culvert.

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Conservation Commission/Staff Comments:  
Conservation Commission signed; no comments.

**PBN IS COMPLETE:**

Dredge approximately 100 square feet in a nontidal drainage ditch for maintenance of an existing culvert.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-02395                      NORTHWOOD, TOWN OF  
NORTHWOOD   Unnamed Stream**

**Requested Action:**

Repair the existing inlet/outlet structure to allow the dam to be operated in a manner that will meet NHDES regulations. The brush and trees will be removed from the upstream and downstream faces of the dam. Trees will be removed as close as possible to the ground without disturbing the ground surface. The existing 18-inch CMP outlet pipe will be lined with a new 16-inch HDPE pipe. The riser pipe, will be lined with a 28 inch HDPE liner. The riser will be lowered 6 inches to provide the required freeboard during a 100-year event. The riser pipe will be capped with a pyramid shaped HDPE trash rack.

\*\*\*\*\*

**COMPLETE NOTIFICATION:**

Repair the existing inlet/outlet structure to allow the dam to be operated in a manner that will meet NHDES regulations. The brush and trees will be removed from the upstream and downstream faces of the dam. Trees will be removed as close as possible to the ground without disturbing the ground surface. The existing 18-inch CMP outlet pipe will be lined with a new 16-inch HDPE pipe. The riser pipe, will be lined with a 28 inch HDPE liner. The riser will be lowered 6 inches to provide the required freeboard during a 100-year event. The riser pipe will be capped with a pyramid shaped HDPE trash rack.

**2005-02494                      GELINAS, GERALD  
DUNBARTON   Gorham Pond Brook**

**Requested Action:**

Dredge and fill 1045 square feet including installation of a 30 foot x 18-inch culvert for access in a subdivision of land.

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**PBN DISQUALIFIED:**

Dredge and fill 1045 square feet including installation of a 30 foot x 18-inch culvert for access in a subdivision of land.

**2005-02496                      ELLIS, MARION  
BARRINGTON   Mendum Pond**

**Requested Action:**

Replace a retaining wall made of railroad ties with a wall made of concrete blocks. It will be 57 linear feet with a height of 3 feet 6 inches. The work will be conducted in early December during draw down, weather permitting.

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PBN IS COMPLETE:

Replace a retaining wall made of railroad ties with a wall made of concrete blocks. It will be 57 linear feet with a height of 3 feet 6 inches. The work will be conducted in early December during draw down, weather permitting.

**2005-02534                      NORM & MIKE EXCAVATING**  
**CHARLESTOWN   Unnamed Stream**

Requested Action:

Dredge and fill 120 square feet of an intermittent stream to extend an existing culvert by 20 feet and construct a headwall to provide public road access to an existing lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Conservation Commission signed; no comments.

PBN IS COMPLETE:

Dredge and fill 120 square feet of an intermittent stream to extend an existing culvert by 20 feet and construct a headwall to provide public road access to an existing lot.